

237637 - 99-323-C

~~2000-265-C~~
2012-253-C
237409
237410

PERFORMANCE BOND

Bond No. ~~CMS 123124~~

KNOW ALL MEN BY THESE PRESENTS that we, **Birch Communications, Inc.**, as Principal, and **RLI Insurance Company**, incorporated under the laws of State of Illinois, with principal offices in **Peoria, IL**, as Surety, are held and firmly bound unto the State of South Carolina, Public Service Commission, as Obligee, in the penal sum of **One Hundred Thousand and No/100 (\$100,000.00)** Dollars, lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly, by these presents.

WHEREAS the above bounden Principal is required by South Carolina Code Ann. Reg. 103-607 to file with the Public Service Commission of South Carolina a bond conditioned as hereinafter set forth:

This obligation requires **Birch Communications, Inc.** to reimburse its customers payment for services not rendered if the Public Service Commission of South Carolina determines that Birch Communications, Inc. has failed to comply with the Rules and Regulations of the Public Service Commission of South Carolina. **RLI Insurance Company** will make such payments to customers of **Birch Communications, Inc.**, in the aggregate, up to the amount of **One Hundred Thousand and No/100 (\$100,000.00)** Dollars, as directed by the Public Service Commission of South Carolina.

Provided that, regardless of the number of years this bond shall continue or be continued in force, and of the number of premiums that shall be payable or paid, the Surety shall not be liable hereunder for a larger amount, in the aggregate, than the amount of this bond and,

Provided further, that this continuous bond may be cancelled by the Surety as to subsequent liability by giving thirty (30) days notice in writing to said Obligee.

Signed, sealed, and dated the 23rd day of May, 2012.

Birch Communications, Inc.
Principal

By: 

RLI Insurance Company
Surety

By: 

Laura M. Murren, Attorney-in-Fact



RLI Surety
P.O. Box 3967 | Peoria, IL 61612-3967
Phone: (800)645-2402 | Fax: (309)689-2036
www.rlicorp.com

POWER OF ATTORNEY

RLI Insurance Company

Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired.

That **RLI Insurance Company**, an Illinois corporation, does hereby make, constitute and appoint:

David M. Lockton, Patrick T. Pribyl, Melissa D. Evans, Debra J. Scarborough, Claudia Mandato, Mary T. Flanigan, Christy M. McCart,
Nancy A. Clover, Mark Duggan, Laura M. Murren, Jeffrey C. Carey, Charissa D. Lecuyer, Kathleen M. Coen jointly or severally

in the City of Kansas City, State of Missouri its true and lawful Agent and Attorney in Fact, with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, the following described bond.

Any and all bonds provided the bond penalty does not exceed Twenty Five Million Dollars (\$25,000,000.00).

The acknowledgment and execution of such bond by the said Attorney in Fact shall be as binding upon this Company as if such bond had been executed and acknowledged by the regularly elected officers of this Company.

The **RLI Insurance Company** further certifies that the following is a true and exact copy of the Resolution adopted by the Board of Directors of **RLI Insurance Company**, and now in force to-wit:

"All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

IN WITNESS WHEREOF, the **RLI Insurance Company** has caused these presents to be executed by its Vice President with its corporate seal affixed this 18th day of January, 2012.



RLI Insurance Company

By: Roy C. Die Vice President

State of Illinois }
County of Peoria } SS

On this 18th day of January, 2012, before me, a Notary Public, personally appeared Roy C. Die, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of the **RLI Insurance Company** and acknowledged said instrument to be the voluntary act and deed of said corporation.

By: Jacqueline M. Bockler
Jacqueline M. Bockler Notary Public



CERTIFICATE

I, the undersigned officer of **RLI Insurance Company**, a stock corporation of the State of Illinois, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that the Resolution of the Company as set forth in the Power of Attorney, is now in force. In testimony whereof, I have hereunto set my hand and the seal of the **RLI Insurance Company** this MAY 28 day of 2012.

RLI Insurance Company

By: Roy C. Die Vice President

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